

NOV 25 2019



November 19, 2019

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

Richard Rayner
President & Agent for Service of Process
California Pavement Maintenance
Company, Inc.
9390 Elder Creek Road
Sacramento, California 95829

Kris Hendren
Administrator/Manager
California Pavement Maintenance
Company, Inc.
9390 Elder Creek Road
Sacramento, California 95829

**RE: NOTICE OF VIOLATIONS AND INTENT TO FILE SUIT UNDER THE FEDERAL
WATER POLLUTION CONTROL ACT ("CLEAN WATER ACT") (33 U.S.C. §§
1251 *et seq.*)**

Dear Mr. Rayner and Mr. Hendren,

This firm represents The California Sportfishing Protection Association ("CSPA"), a California non-profit public benefit conservation and research organization, in regard to violations of the Clean Water Act ("CWA" or "the Act") occurring at the California Pavement Maintenance Company, Inc. facility in Sacramento County California, a manufacturing plant focused on pavement maintenance equipment and pavement maintenance. The facility is located at 9390 Elder Creek Road Sacramento, California 95829 (the "Facility") with Waste Discharger Identification Number (WDID) 5S34I021051. This letter is being sent to you as the responsible owners, officers, and/or operators of the Facility. Unless otherwise noted, shall hereinafter be referred to as "California Pavement," and Richard Rayner and Kris Hendren shall collectively be referred to as the "Owners/Operators."

CSPA is a non-profit public benefit conservation and research organization dedicated to the preservation, protection, and defense of the environment, wildlife, and natural resources throughout the state of California, including Elder Creek, Morrison Creek and the Sacramento River, into which California Pavement discharges polluted storm water. Members of CSPA reside in Sacramento County, and use and enjoy Elder Creek, Morrison Creek and the Sacramento River ("Receiving Waters"). As explained in detail below, California Pavement continuously discharges pollutants into the Receiving Waters, in violation of the Clean Water Act and the Storm Water Permit. CSPA members use the Receiving Waters to boat, kayak, bird watch, view wildlife, hike, bike,



walk and engage other recreational activities. Additionally, CSPA members use the Receiving Waters to engage in scientific study through pollution and habitat monitoring to promote restoration activities. The unlawful discharge of pollutants from the Facility into the Receiving Waters impairs CSPA members' use and enjoyment of these waters. Thus, the interests of CSPA's members have been, are being, and will continue to be adversely affected by California Pavement's failure to comply with the Clean Water Act and the Storm Water Permit.

California Pavement is in ongoing violation of the substantive and procedural requirements of the CWA, 33 U.S.C. § 1251 *et seq.*; and California's General Industrial Storm Water Permit, National Pollution Discharge Elimination System ("NPDES") General Permit No. CAS000001 ("General Permit"), Water Quality Order No. 97-03-DWQ ("1997 General Permit"), as superseded by Order No. 2015-0057-DWQ ("2015 General Permit").

The 1997 General Permit was in effect between 1997 and June 30, 2015, and the 2015 General Permit went into effect on July 1, 2015. As will be explained below, the 2015 General Permit includes many of the same fundamental requirements, and implements many of the same statutory requirements, as the 1997 General Permit. Violations of the General Permit constitute ongoing violations for purposes of CWA enforcement. 2015 General Permit, Finding A.6.

Pursuant to Section 309(d) of the Act (33 U.S.C. § 1319(d)) and the Adjustment of Civil Monetary Penalties for Inflation (40 C.F.R. § 19.4), each separate violation of the CWA occurring before November 2, 2015 commencing five years prior to the date of this Notice of Violation and Intent to File Suit subjects California Pavement to a penalty of up to \$37,500 per day; violations occurring after November 2, 2015 and assessed on or after January 15, 2018 subjects California Pavement to a penalty of up to \$53,484 per day. In addition to civil penalties, CSPA will seek injunctive relief preventing further violations of the Act pursuant to Sections 505(a) and (d) of the Act (33 U.S.C. §§ 1365(a), (d)) and such other relief as permitted by law. Lastly, Section 505(d) of the Act (33 U.S.C. § 1365(d)) permits prevailing parties to recover costs and fees, including attorneys' fees.

The CWA requires that sixty (60) days prior to the initiation of a citizen-enforcement action under Section 505(a) of the Act (33 U.S.C. § 1365(a)), a citizen enforcer must give notice of its intent to file suit. Notice must be given to the alleged violator, the U.S. Environmental Protection Agency, and the Chief Administrative Officer of the water pollution control agency for the State in which the violations occur. See 40 C.F.R. 135.2.

As required by the Act, this letter provides statutory notice of the violations that have occurred, and continue to occur, at the Facility. 40 C.F.R. § 135.3(a). At the expiration of sixty (60) days from the date of this letter, CSPA intends to file suit under

Section 505(a) of the Act (33 U.S.C. § 1365(a)) in federal court against California Pavement for violations of the Act and the General Permit.

I. Background

A. The Clean Water Act

Congress enacted the CWA in 1972 in order to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” 33 U.S.C. § 1251. The Act prohibits the discharge of pollutants into United States waters except as authorized by the statute. 33 U.S.C. § 1311; *San Francisco Baykeeper, Inc. v. Tosco Corp.*, 309 F.3d 1153, 1156 (9th Cir. 2002). The Act is administered largely through the NPDES permit program. 33 U.S.C. § 1342. In 1987, the Act was amended to establish a framework for regulating storm water discharges through the NPDES system. Water Quality Act of 1987, Pub. L. 100-4, § 405, 101 Stat. 7, 69 (1987) (codified at 33 U.S.C. § 1342(p)); *see also Env’tl. Def. Ctr., Inc. v. EPA*, 344 F.3d 832, 840-41 (9th Cir. 2003) (describing the problem of storm water runoff and summarizing the Clean Water Act’s permitting scheme). The discharge of pollutants without an NPDES permit, or in violation of a NPDES permit, is illegal. *Ecological Rights Found. v. Pac. Lumber Co.*, 230 F.3d 1141, 1145 (9th Cir. 2000).

Much of the responsibility for administering the NPDES permitting system has been delegated to the states. *See* 33 U.S.C. § 1342(b); *see also* Cal. Water Code § 13370 (expressing California’s intent to implement its own NPDES permit program). The CWA authorizes states with approved NPDES permit programs to regulate industrial storm water discharges through individual permits issued to dischargers, as well as through the issuance of a single, statewide general permit applicable to all industrial storm water dischargers. 33 U.S.C. § 1342(b). Pursuant to Section 402 of the Act, the Administrator of EPA has authorized California’s State Board Water Resource Control Board (“State Board”) to issue individual and general NPDES permits in California. 33 U.S.C. § 1342. The State Board coordinates with the Central Valley Regional Water Quality Control Board (“Regional Board”), which has shared jurisdiction over the Facility for state and federal water pollution control efforts.

B. California’s General Permit for Storm Water Discharges Associated with Industrial Activities

Between 1997 and June 30, 2015, the General Permit in effect was Order No. 97-03-DWQ, which CSPA refers to as the “1997 General Permit.” On July 1, 2015, pursuant to Order No. 2015-0057-DWQ, the General Permit was reissued, including many of the same fundamental terms as the prior permit. For the purposes of this notice letter, CSPA refers to the reissued permit as the “2015 General Permit.” The 2015 General Permit rescinded in whole the 1997 General Permit, except for the expired

permit's requirement that annual reports be submitted by July 1, 2015, and for the purposes of CWA enforcement. 2015 General Permit, Finding A.6.

Facilities discharging, or having the potential to discharge, storm water associated with industrial activities that have not obtained an individual NPDES permit must apply for coverage under the General Permit by filing a Notice of Intent to Comply ("NOI"). 1997 General Permit, Provision E.1; 2015 General Permit, Standard Condition XXI.A. Facilities must file their NOIs before the initiation of industrial operations. *Id.*

Facilities must strictly comply with all of the terms and conditions of the General Permit. A violation of the General Permit is a violation of the CWA. The General Permit contains three primary and interrelated categories of requirements: (1) discharge prohibitions, receiving water limitations and effluent limitations; (2) Storm Water Pollution Prevention Plan ("SWPPP") requirements; and (3) self-monitoring and reporting requirements. Beginning under the 2015 General Permit Facilities must submit Exceedance Response Action Plans ("ERA Report") to the State Board outlining effective plans to reduce pollutants if a Facility reports a pollutant above the Numeric Action Level ("NAL"). An annual NAL exceedance occurs when the average of all the analytical results for a parameter from samples taken within a reporting year¹ exceeds the annual NAL value for that parameter. An instantaneous maximum NAL exceedance occurs when two (2) or more analytical results from samples taken for any single parameter within a reporting year exceed the instantaneous maximum NAL value or are outside of the instantaneous maximum NAL range for pH. 2015 General Permit XII.A.

C. California Pavement's Industrial Facility

The California Pavement Facility is located 9390 Elder Creek Road, Sacramento, California 95829. The Facility consists of approximately 14.58 acres of which 403,228 square feet is said to be paved, with 44,657 square feet covered by buildings. The Facility's primary purpose is the manufacturing and maintenance of equipment primarily in support of pavement installation and maintenance. The industrial activities at the Facility consists of ferrous metal processing, ferrous metal storage, equipment maintenance, metal grinding, materials storage, fuel storage, equipment maintenance, metal grinding, chemical storage, equipment parking, equipment fueling, industrial vehicle traffic, vehicle fueling and vehicle repairs. The Facility operates Monday through Friday 7:00 AM to 5:00 PM Monday through Friday and may operate during extended hours.

The Facility's Notice of Intent to Comply with the General Permit ("NOI") was not available from the State Board's Storm Water Multiple Application and Report Tracking System ("SMARTS"). The Facility's current Storm Water Pollution Prevention Plan ("SWPPP") was obtained from SMARTS but it neglects to identify the Facility Standard

¹ A reporting year under the General Permit is July 1 to June 30.

Industrial Classification (“SIC”). However, the 2018-2019 annual report also obtained from SMARTS establishes that California Pavement operates under SIC Code 2952—Asphalt Felts and Coatings.

Under SIC Code 2952 the General Permit requires California Pavement to analyze storm water samples for total suspended solids (“TSS”), pH, and oil and grease (“O&G”). Facilities must also sample and analyze for additional parameters identified on a facility specific basis to reflect pollutant a source assessment, due to receiving water impairments, or as required by the Regional Board. 1997 General Permit, Section B.5.c.i; 2015 General Permit, Section XI.B.6. Here, pursuant to the SWPPP, the Facility has also been sampling and analyzing for aluminum, zinc, and copper.

The Facility consists generally of the following industrial areas. The fire reservoir, the fuel dispensers, the used oil storage area. the warehouse areas, and the shop areas in the front half of the Facility. The storage areas, tool sheds, the yards, the container areas, and equipment storage areas in the back half of the Facility.

Industrial asphalt/pavement maintenance activities, asphalt/pavement installation activities, and equipment manufacturing for asphalt/pavement installation and maintenance activities, and other industrial activities performed at the Facility require the use of a variety of raw materials and hazardous materials. For example, and according to the Facility SWPPP, 200 tons of mineral fines, a component of slurry sealant, and 800 gallons of diesel fuel are stored on site at the Facility and used/handled daily. 24,000 gallons of gasoline is also stored onsite and used/handled daily. 3000 gallons slurry sealant is available onsite at the Facility and used/handled weekly. Mineral fines are distributed across the Facility via dust, and upon information and belief, are a significant contributor to pollutant issues in storm water at the Facility. Mineral fines are stored in a sweepings pile near to the shop area without secondary containment.

Many industrial activities and processes occur outdoors at the Facility. Those activities performed indoors, including metal grinding, lead to track-out of pollutants from open exposures, vehicle traffic, and building exhaust, among other pollutant distributing concerns. Other potential pollutant sources on site at the Facility include but are not limited to, sediment buildup in the storm water drainage systems and filtration systems, dust from daily operations and vehicle traffic throughout the site, and fine particles from daily operations collecting on roofs and other surfaces and deposited on and off the grounds of the Facility through aerial deposition.

According to the Facility’s Level 1 Technical Report and Level 1 Qualified Industrial Stormwater Practitioner (“QISP”) Report, both dated September 5, 2017 and containing the exact same content (collectively, “ERA Reports”), manmade sources of aluminum derive from industrial operations at the Facility. Aluminum is used at the Facility to manufacture components for paving equipment. While aluminum fabrication is

said to occur indoors and thus not directly exposed to storm water, open doors, ceiling exhaust, ventilation systems, and vehicle traffic lead to track-out of pollutants from manufacturing processes occurring indoors. The above referenced Facility ERA Reports also note that aluminum is present on vehicles and equipment stored outdoors at the Facility and directly exposed to storm water. Further, aluminum sulfate is used at the Facility for industrial processes and is stored in above ground storage tanks. Accessing the aluminum sulfate for use and use of the aluminum sulfate at the Facility, are likely contributors to the levels of aluminum found in storm water discharges at the Facility.

Storm water runoff from the Facility discharges primarily through a discharge point in the northwest corner of the Facility. Storm water is discharged from this discharge point in two ways: 1) storm water is collected from building roofs and paved surfaces near to a basin in the center of the Facility which stores a set amount of water, and collects some storm water during rain events, for fire suppression. When capacity is reached storm water is pumped through a pipe to the northwest corner discharge point and enters a drainage ditch and flows to Elder Creek; and 2) a sump with a pump located in the west central portion of the Facility receives storm water from the north and central areas of the Facility which is pumped through the same pipe to the northwest corner discharge point and enters a drainage ditch and flows to Elder Creek. Other storm water collected at the Facility is said to enter drop inlets, which are not visible on the Facility site maps obtained from SMARTS although a site map key shows a symbol meant to represent the location of the storm water drain inlets. Storm water entering the drop inlets is said to discharge through drywells or trenches to the surrounding subsurface soils. Storm water from the north part of the Facility is also said to collect at a large concave area on the south portion of the Facility and then discharged to the soil or evaporate. This large concave area is likewise not represented on any of the Facility site maps. Last, in the Facility's ERA Reports, storm water run-on from adjacent parcels is discussed as an ongoing issue with respect to pollutants in storm water discharges. The Facility SWPPP noted however, that no BMPs are currently in place at the Facility to prevent run-on.

Elder Creek flows into Morrison Creek within a few miles of the Facility. Morrison Creek is a tributary to the Sacramento River. The Sacramento River is listed for numerous impairments on the 2016 303(d) list of impaired waterbodies. Those listed impairments are available here: https://www.waterboards.ca.gov/water_issues/programs/tmdl/2014_16state_ir_reports/category5_report.shtml. Elder Creek, Morrison Creek and the Sacramento River are waters of the United States within the meaning of the CWA.

II. California Pavement's Violations of the Act and the General Permit

Based on its review of available public documents, CSPA is informed and believes that California Pavement is in ongoing violation of both the substantive and procedural requirements of the CWA, and the General Permit. These violations are

ongoing and continuous. Consistent with the five-year statute of limitations applicable to citizen enforcement actions brought pursuant to the CWA, California Pavement is subject to penalties for violations of the Act since November 19, 2014. CSPA expects to identify additional storm water discharges conveying pollutants to the Receiving Waters in violation of the CWA through further investigation of the Facility and as this matter progresses through the rainy season.

A. California Pavement Discharges Storm Water Containing Pollutants in Violation of the General Permit's Discharge Prohibitions, Receiving Water Limitations, and Effluent Limitations

California Pavement's storm water sampling results provide conclusive evidence of its failure to comply with the General Permit's discharge prohibitions, receiving water limitations and effluent limitations. Self-monitoring reports under the General Permit are deemed "conclusive evidence of an exceedance of a permit limitation." *Sierra Club v. Union Oil*, 813 F.2d 1480, 1493 (9th Cir. 1988).

1. Applicable Water Quality Standards

The General Permit requires that storm water discharges and authorized non-storm water discharges shall not cause or threaten to cause pollution, contamination, or nuisance. 1997 General Permit, Discharge Prohibition A.2; 2015 General Permit, Discharge Prohibition III.C. The General Permit also prohibits discharges that violate any discharge prohibition contained in the applicable Regional Board's Basin Plan or statewide water quality control plans and policies. 1997 General Permit, Receiving Water Limitation C.2; 2015 General Permit, Discharge Prohibition III.D. Furthermore, storm water discharges and authorized non-storm water discharges shall not adversely impact human health or the environment, and shall not cause or contribute to a violation of any water quality standards in any affected receiving water. 1997 General Permit, Receiving Water Limitations C.1, C.2; 2015 General Permit, Receiving Water Limitations VI.A, VI.B.

Dischargers are also required to prepare and submit documentation to the Regional Board upon determination that storm water discharges are in violation of the General Permit's Receiving Water Limitations. 1997 General Permit, p. VII; 2015 General Permit, Special Condition XX.B. The documentation must describe changes the discharger will make to its current storm water best management practices ("BMPs") in order to prevent or reduce any pollutant in its storm water discharges that is causing or contributing to an exceedance of water quality standards. *Id.*

The California Toxics Rule ("CTR") is an applicable water quality standard under the Permit, the violation of which is a violation of Permit conditions. *Cal. Sportfishing Prot. Alliance v. Chico Scrap Metal, Inc.*, 2015 U.S. Dist. LEXIS 108314, *21 (E.D. Cal. 2015) CTR establishes numeric receiving water limits for toxic pollutants in California

surface waters. 40 C.F.R. § 131.38. The CTR establishes a numeric limit for at least one of the pollutants discharged by California Pavement: zinc – 0.12 mg/L (maximum concentration).

The *Water Quality Control Plan for the Central Valley Region* (“Basin Plan”) also sets forth water quality standards and prohibitions applicable to California Pavement’s storm water discharges. The Basin Plan includes a narrative toxicity standard which states that “[a]ll waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.” The Basin Plan’s Water Quality Standards for the Central Valley require a narrower pH range of 6.5 – 8.5 pH units (Basin Plan). The Basin Plan also identifies numerous existing and potential Beneficial Uses for the Sacramento River. (Basin Plan, Table 2-1.)

2. Applicable Effluent Limitations

Dischargers are required to reduce or prevent pollutants in their storm water discharges through implementation of best available technology economically achievable (“BAT”) for toxic and nonconventional pollutants and best conventional pollutant control technology (“BCT”) for conventional pollutants. 1997 General Permit, Effluent Limitation B.3; 2015 General Permit, Effluent Limitation V.A. Conventional pollutants include Total Suspended Solids, Oil & Grease, pH, Biochemical Oxygen Demand and Fecal Coliform. 40 C.F.R. § 401.16. All other pollutants are either toxic or nonconventional. 40 C.F.R. §§ 401.15-16.

Under the General Permit, benchmark levels established by the EPA (“EPA benchmarks”) serve as guidelines for determining whether a facility discharging industrial storm water has implemented the requisite BAT and BCT. *Santa Monica Baykeeper v. Kramer Metals*, 619 F.Supp.2d 914, 920, 923 (C.D. Cal 2009); 1997 General Permit, Effluent Limitations B.5-6; 2015 General Permit, Exceedance Response Action XII.A.

The following EPA benchmarks have been established for pollutants discharged by California Pavement: Total Suspended Solids—100 mg/L; Oil & Grease—15 mg/L; pH—6-9 s.u., Aluminum—0.75 mg/L; Iron—1 mg/L; Lead—0.069 mg/L; Copper—0.0123 mg/L; and Zinc—0.11 mg/L. Again, the Basin Plan’s Water Quality Standards for the Central Valley Region requires a narrower pH range of 6.5 – 8.5 pH units (Basin Plan).

3. California Pavement’s Storm Water Sample Results

Except as provided in Section XI.C.4 of the 2015 General Permit, samples shall be collected from each drainage area at all discharge locations. The samples must be:

- Representative of storm water associated with industrial activities and any

commingled authorized non-storm water discharges; or, b) Associated with the discharge of contained storm water.

The following discharges of pollutants from the Facility provide evidence of violations of the discharge prohibitions, receiving water limitations, and effluent limitations of the Permit.

a. Discharges of Storm Water Containing Aluminum (Al) at Concentrations in Excess of Applicable EPA Benchmark Value

Date	Discharge Point	Parameter	Concentration in Discharge (mg/L)	EPA Benchmark (mg/L)
3/27/2019	Discharge Point 1	Al	1	0.75
1/15/2019	Discharge Point 1	Al	2.4	0.75
11/29/2018	Discharge Point 1	Al	3.5	0.75
4/6/2018	Discharge Point 1	Al	4.5	0.75
1/9/2018	Discharge Point 1	Al	1.1	0.75
11/9/2017	Discharge Point 1	Al	2.9	0.75
2/9/2017	Discharge Point 1	Al	3.3	0.75
1/10/2017	Discharge Point 1	Al	0.8	0.75
10/14/2016	Discharge Point 1	Al	1.6	0.75
3/11/2015	Discharge Point 1	Al	2.2	0.75
11/20/2014	Discharge Point 1	Al	6.5	0.75

b. Discharges of Storm Water Containing Copper (Cu) at Concentrations in Excess of Applicable EPA Benchmark Value

Date	Discharge Point	Parameter	Concentration in Discharge (mg/L)	EPA Benchmark (mg/L)
3/27/2019	Discharge Point 1	Cu	0.02	0.0123
1/15/2019	Discharge Point 1	Cu	0.029	0.0123
4/6/2018	Discharge Point 1	Cu	0.034	0.0123
11/9/2017	Discharge Point 1	Cu	0.022	0.0123
2/9/2017	Discharge Point 1	Cu	0.023	0.0123
10/14/2016	Discharge Point 1	Cu	0.03	0.0123
3/11/2015	Discharge Point 1	Cu	0.071	0.0123
11/20/2014	Discharge Point 1	Cu	0.047	0.0123

c. Discharges of Storm Water Containing pH Levels outside the allowable Basin Plan Range/Values

Date	Discharge Point	Parameter	Result (s.u.)	Instantaneous NAL (s.u.)	Basin Plan Limits (s.u.)
4/6/2018	Discharge Point 1	pH	5	6 – 9	6.5 – 8.5
3/11/2015	Discharge Point 1	pH	5	6 – 9	6.5 – 8.5
11/20/2014	Discharge Point 1	pH	5	6 – 9	6.5 – 8.5

d. Discharges of Storm Water Containing Zinc (Zn) at Concentrations in Excess of Applicable EPA Benchmark Value

Date	Discharge Point	Parameter	Concentration in Discharge (mg/L)	EPA Benchmark (mg/L)
3/27/2019	Discharge Point 1	Zn	0.12	0.11
1/15/2019	Discharge Point 1	Zn	0.21	0.11
4/6/2018	Discharge Point 1	Zn	0.26	0.11
1/9/2018	Discharge Point 1	Zn	0.24	0.11
11/9/2017	Discharge Point 1	Zn	0.32	0.11
2/9/2017	Discharge Point 1	Zn	0.21	0.11
10/14/2016	Discharge Point 1	Zn	0.35	0.11
3/11/2015	Discharge Point 1	Zn	0.49	0.11
11/20/2014	Discharge Point 1	Zn	0.34	0.11

e. California Pavement's Sample Results Are Evidence of Violations of the General Permit

California Pavement's self-reported sample results demonstrate violations of the General Permit's discharge prohibitions, receiving water limitations, and effluent limitations set forth above. CSPA is informed and believes that the California Pavement has known that its storm water contains pollutants at levels exceeding General Permit standards since at least November 19, 2014.

CSPA alleges that such violations occur each time storm water or non-storm water discharges from the Facility. Attachment A hereto, sets forth the specific rain dates on which CSPA alleges that California Pavement has discharged storm water containing impermissible levels of zinc, aluminum, copper, and pH affecting substances in violation of the General Permit. 1997 General Permit, Discharge Prohibition A.2, Receiving Water Limitations C.1 and C.2; 2015 General Permit, Discharge Prohibitions III.C and III.D, Receiving Water Limitations VI.A, VI.B.

Because California Pavement recorded averages of testing above Numeric Action Levels (“NAL”), which are equivalent to the standard EPA benchmark limits, for aluminum in the 2016-17 year, the Facility entered ERA Level 1 for that parameter following the 2016-2017 reporting year. The Facility did not enter ERA Level 1 for zinc in the 2016-2017 reporting year but entered ERA Level 1 for zinc for the 2017-2018 reporting year based on EPA benchmark exceedances. Also, during the 2017-2018 reporting year the Facility entered ERA Level 2 for aluminum. Yet California Pavement has yet to submit an ERA Level 1 for zinc or an ERA level 2 for aluminum regarding the 2017-2018 reporting year to SMARTS despite two Notice of Violations letters (“NOVs”) for each constituent sent to California Pavement’s from the Regional Board. The first set of NOVs were sent on February 13, 2019 and the second set of NOVs were sent on June 29, 2019. Storm water sampling results from the 2018-2019 reporting year for aluminum averaged 2.3 mg/L, with a high result of 3.5 mg/L, over 4.5 times the NAL, meaning California Pavement will remain in ERA Level 2 for aluminum in the 2019-2020 reporting year. Since California Pavement entered ERA Level 2 for aluminum following the 2017-2018 reporting year, they will be required to submit a Level 2 ERA Technical Report prepared by a QISP by January 1, 2020 that addresses the requirements in Section XII.D.2 of the 2015 General Permit. However, a Level 2 ERA Report is a required precursor to the Level 2 ERA Technical Report and as discussed above, California Pavement has yet to upload such a report to SMARTS.

4. California Pavement Has Failed to Implement BAT and BCT

Dischargers must implement adequate BMPs that fulfill the BAT/BCT requirements of the CWA and the General Permit to reduce or prevent discharges of pollutants in their storm water discharges. 1997 General Permit, Effluent Limitation B.3; 2015 General Permit, Effluent Limitation V.A. To meet the BAT/BCT standard, dischargers must implement minimum BMPs and any advanced BMPs set forth in the General Permit’s SWPPP Requirements provisions where necessary to reduce or prevent pollutants in discharges. See 1997 General Permit, Sections A.8.a-b; 2015 General Permit, Sections X.H.1-2. Sampling results of magnitudes well in excess of benchmark levels, as reported by California Pavement, are evidence that California Pavement does not have BMPs that achieve BAT/BCT (*Santa Monica Baykeeper v. Kramer Metals, Inc.* 619 F. Supp. 2d 914. 925 (C.D. Cal., 2009.); *Protection Alliance v. River City Waste Recyclers, LLC*, 205 F.Supp.3d 1128 (E.D. Cal. 2016).

California Pavement has failed to implement the minimum BMPs required by the General Permit, including: sufficient good housekeeping requirements; preventive maintenance requirements; aerial deposition control; material handling and waste management requirements; run-on; track-out and exhaust controls; erosion and sediment controls; employee training and quality assurance; and record keeping. 1997 General Permit, Sections A.8.a(i–x); 2015 General Permit, Sections X.H.1(a–g).

California Pavement has further failed to implement advanced BMPs necessary to reduce or prevent discharges of pollutants in its storm water sufficient to meet the BAT/BCT standards, including: exposure minimization BMPs; containment and discharge reduction BMPs; treatment control BMPs; or other advanced BMPs necessary to comply with the General Permit's effluent limitations. 1997 General Permit, Section A.8.b; 2015 General Permit, Sections X.H.2.

Each day the Owners/Operators have failed to develop and implement BAT and BCT at the Facility in violation of the General Permit is a separate and distinct violation of Section 301(a) of the CWA (33 U.S.C. § 1311(a)). The violations described above were at all times in violation of Section A of the 1997 General Permit, and Section X of the 2015 General Permit. Accordingly, the Owners/Operators have been in violation of the BAT and BCT requirements at the Facility every day since at least November 19, 2014.

5. California Pavement Has Failed to Develop and Implement an Adequate Storm Water Pollution Plan

The General Permit requires dischargers to develop and implement a site-specific SWPPP. 1997 General Permit, Section A.1; 2015 General Permit, Section X.A. The SWPPP must include, among other elements: (1) the facility name and contact information; (2) a site map; (3) a list of industrial materials; (4) a description of potential pollution sources; (5) an assessment of potential pollutant sources; (6) minimum BMPs; (7) advanced BMPs, if applicable; (8) a monitoring implementation plan; (9) annual comprehensive facility compliance evaluation; and (10) the date that the SWPPP was initially prepared and the date of each SWPPP amendment, if applicable. See *id.*

Dischargers must revise their SWPPP whenever necessary and certify and submit via the State Board's SMARTS system their SWPPP within 30 days whenever the SWPPP contains significant revision(s); and, certify and submit via SMARTS for any non-significant revision(s) not more than once every three (3) months in the reporting year. 2015 General Permit, Section X.B; see also 1997 General permit, Section A.

CSPA's investigation indicates that California Pavement has been operating with an inadequately developed or implemented SWPPP in violation of General Permit requirements. California Pavement has failed to evaluate the effectiveness of its BMPs and to revise its SWPPP as necessary, resulting in the Facility's numerous effluent limitation violations. The Facility SWPPP is dated August 19, 2015, and at a minimum should have been updated following submission of the Facility ERA Reports dated September 5, 2017 to record improved BMPs to be implemented at the Facility given the Level 1 ERA Report requirements of the 2015 General Permit. The August 19, 2015 SWPPP lists a single site-specific (advanced) BMP, "cleanup accidental fueling spills." Advanced BMPs are primarily structural BMPs consisting of treatment control BMPs,

exposure reduction BMPs, and storm water containment and discharge reduction BMPs. Clean up of fueling spills is a required minimum BMP under the General Permit.

Each day the Owners/Operators failed to develop and implement an adequate SWPPP is a violation of the General Permit. The SWPPP violations described above were at all times in violation of Section A of the 1997 General Permit, and Section X of the 2015 General Permit. The Owners/Operators have been in violation of these requirements at the Facility every day since at least November 19, 2014.

6. California Pavement has Failed to Develop, Implement, and/or Revise an Adequate Monitoring and Reporting Program

Section B(1) and Provision E(3) of the 1997 General Permit required Facility Owners/Operators to develop and implement an adequate Monitoring and Reporting Program. Similarly, Section X.I of the 2015 General Permit requires Facility Owners/Operators to develop and implement a Monitoring Implementation Plan ("MIP"). The primary objective of the monitoring and reporting requirements is to detect and measure the concentrations of pollutants in a facility's discharge to ensure compliance with the General Permit's Discharge Prohibitions, Effluent Limitations, and Receiving Water Limitations. See 1997 General Permit, Section B(2); 2015 IGP Fact Sheet, Section II.J(1). Monitoring undertaken must therefore determine whether pollutants are being discharged, and whether response actions are necessary, and must evaluate the effectiveness of BMPs. See General Permit, Section I.J(56).

Sections B(5) and B(7) of the 1997 General Permit, and Section XI.A of the 2015 General Permit, require dischargers to visually observe and collect samples of storm water from all locations where storm water is discharged. Under XI.B of the 2015 General Permit, the Facility Owners/Operators are required to collect at least two (2) samples from each discharge location at their Facility during the first half of the reporting year, and then again during the second half of the reporting year. Storm water samples must be analyzed for TSS, pH, O&G, and other pollutants that are likely to be present in the Facility's discharges in significant quantities, and as required under the General Permit pursuant to a Facility SIC. See 2015 General Permit, Section XI.B(6). Here, the Facility has also been sampling and analyzing for aluminum, zinc, and copper in accordance with the Facility SWPPP.

The Facility Owners/Operators have been conducting operations at the Facility with an inadequately developed, implemented, and/or revised MIP. Here, the Facility Owners/Operators have not collected sufficient samples in any recent reporting year. For example, the Facility only sampled three rain events in the 2016-2017, 2017-2018, and the 2018-2019 reporting years despite sufficient rain events during those reporting years. (See Attachment A.) In fact, the Facility's ERA Reports following the 2016-2017 reporting year state that heavy rainfall occurred in the 2016-2017 reporting year. For the 2015-2016 reporting year there are no sampling results available on SMARTS,

suggesting the Facility Owners/Operators neglected to sample storm water at all, in violation of the General Permit. In the 2014-2015 reporting year, two rain events were sampled, meeting the requirements of the 1997 General Permit, in effect at that time, but the November 20, 2014 sample revealed an aluminum result of 6.5 mg/L, over 8.5 times the EPA Benchmark.

With regard to sampling requirements discussed in the Facility's annual report, the 2015-2016 annual report first notes that Facility Owners/Operators sampled the required number of storm events during the reporting year for all discharge locations. Yet in the notes section, the report states that there were not enough qualifying storm events. Again, no storm water sampling results were available on SMARTS for the 2015-2016 annual report. The Facility's 2016-2017 annual report also notes that there were not enough qualifying storm events during business hours in the same year the Facility's ERA Reports note heavy rainfall. The Facility's 2017-2018 and 2018-2019 annual reports again note that there were not enough qualifying storm events despite evidence of more than ample storm events in the area. (See Attachment A.)

The Facility Owners'/Operators' failure to conduct sampling and monitoring as required by the General Permit demonstrates that it has failed to develop, implement, and/or revise an MIP that complies with the requirements of Section B and Provision E(3) of the 1997 General Permit and Section XI of the 2015 General Permit. Every day that the Facility Owners/Operators conduct operations in violation of the specific monitoring requirements of the 1997 General Permit or the 2015 General Permit, or with an inadequately developed and/or implemented MIP, is a separate and distinct violation of the 1997 General Permit or the 2015 General Permit, and the Clean Water Act. The Facility Owners/Operators have been in daily and continuous violation of the General Permit's MIP requirements every day since at least November 19, 2014. These violations are ongoing, and CSPA will include additional violations when information becomes available, including specifically continuing violations of the 2015 General Permit monitoring requirements (see 2015 General Permit, Section XI.). The Facility Owners/Operators are subject to civil penalties for all violations of the Clean Water Act occurring since November 19, 2014.

7. California Pavement's Failure to Comply with the General Permit's Reporting Requirements

Section B(14) of the 1997 General Permit requires a permittee to submit an Annual Report to the Regional Board by July 1 of each year. Section B(14) requires that the Annual Report include a summary of visual observations and sampling results, an evaluation of the visual observation and sampling results, the laboratory reports of sample analysis, the annual comprehensive site compliance evaluation report, an explanation of why a permittee did not implement any activities required, and other information specified in Section B(13). The 2015 General Permit includes the same annual reporting requirement. See 2015 General Permit, Section XVI.

The Facility Owners/Operators have also submitted incomplete Annual Reports. For instance, the Facility operators must report any noncompliance with the General Permit at the time that the Annual Report is submitted, including 1) a description of the noncompliance and its cause, 2) the period of noncompliance, 3) if the noncompliance has not been corrected, the anticipated time it is expected to continue, and 4) steps taken or planned to reduce and prevent recurrence of the noncompliance. 1997 General Permit, Section C(11)(d). The Facility Owners/Operators did not report their non-compliance as required. Further, California Pavement failed to undertake sampling, and report results from every discharge point at the Facility, as required by the General Permit.

Last, the General Permit requires a permittee whose discharges violate the General Permit Receiving Water Limitations to submit a written report identifying what additional BMPs will be implemented to achieve water quality standards, along with an implementation schedule. 1997 General Permit, Receiving Water Limitations C(3) and C(4). Information available to CSPA indicates that the Facility Owners/Operators failed to submit sufficient reports as required by Receiving Water Limitations C(3) and C(4) of the 1997 General Permit. As such, the Owners/Operators are in daily violation of this requirement of the General Permit.

Information available to CSPA indicates that the Facility Owners/Operators have submitted incomplete and/or incorrect Annual Reports that fail to comply with the General Permit. Further, the Facility ERA Reports resulting from samples recorded in the 2016-2017 reporting year was insufficient, as evidenced by subsequent storm water sampling results. Last, data uploaded to SMARTS suggests that the Facility has history of late reporting or non-reporting. As such, the Owners/Operators are in daily violation of the CWA and General Permit. Every day the Facility Owners/Operators conduct operations at the Facility without reporting as required by the General Permit is a separate and distinct violation of the General Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). The Facility Owners/Operators have been in daily and continuous violation of the General Permit's reporting requirements every day since at least November 19, 2014. These violations are ongoing, and CSPA will include additional violations when information becomes available, including specifically violations of the 2015 General Permit reporting requirements (see 2015 General Permit, Section XVI.). The Facility Owners/Operators are subject to civil penalties for all violations of the Clean Water Act occurring since November 19, 2014.

III. Persons Responsible for the Violations

CSPA puts California Pavement on notice that it is the entity responsible for the violations described above. If additional persons are subsequently identified as also being responsible for the violations set forth above, CSPA puts California Pavement on formal notice that it intends to include those persons in this action.



IV. Name and Address of Noticing Party

The name, mailing address, and telephone number of the noticing party is as follows:

Bill Jennings, Executive Director
California Sportfishing Protection Alliance
3536 Rainier Ave.
Stockton, CA 95204
(209) 464-5067
Bjennings@calsport.org

V. Counsel

CSPA has retained legal counsel to represent it in this matter. Please direct all communications to:

Anthony M. Barnes
Aqua Terra Aeris (ATA) Law Group
490 43rd Street, Suite 108
Oakland, CA 94609
(917) 371-8293
amb@atalawgroup.com

VI. Conclusion

CSPA believes this Notice of Violations and Intent to File Suit sufficiently states grounds for filing suit. We intend to file a citizen suit under Section 505(a) of the CWA against California Pavement and its agents for the above-referenced violations upon the expiration of the 60-day notice period. If you wish to pursue remedies in the absence of litigation, we suggest that you initiate those discussions within the next twenty (20) days so that they may be completed before the end of the 60-day notice period. We do not intend to delay the filing of a complaint in federal court if discussions are continuing when that period ends.

Sincerely,

Anthony M. Barnes
ATA Law Group
Counsel for CSPA



SERVICE LIST

VIA CERTIFIED MAIL RETURN RECIEPT REQUESTED

William Barr
U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Mike Stoker
Regional Administrator
U.S. Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, California 94105

Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460 (1101A)

Patrick Pulupa, Executive Officer
Central Valley Regional Water Quality
Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

Eileen Sobeck
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, California 95812-0100

Citizen Suit Coordinator
Environment and Natural Resources
Division
Law and Policy Section
P.O. Box 7415
Ben Franklin Station
Washington, DC 20044-7415

EXHIBIT A



EDMUND G. BROWN, JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

March 5, 2018

Chris Ramer
Security Paving Company, Inc.
13170 Telfair Avenue
Sylmar, California 91342

Certified Mail
Return Receipt Requested
Claim No. 7016 2140 0000 3802 7162

Michael Mattivi
Agent for Service of Process
Security Paving Company, Inc.
13170 Telfair Avenue
Sylmar, California 91342

Certified Mail
Return Receipt Requested
Claim No. 7017 0190 0000 4169 4528

NOTICE OF VIOLATION: FAILURE TO COLLECT AND ANALYZE SAMPLES OF STORMWATER RUNOFF – BRADLEY, 8960 BRADLEY AVENUE, SUN VALLEY, CA 91342, WDID 4 19I026031

Dear Chris Ramer and Michael Mattivi:

Security Paving Company, Inc., operates a facility at 8960 Bradley Avenue in Sun Valley (Facility) that is subject to the requirements of the NPDES General Permit for Stormwater Discharges Associated with Industrial Activities Order No. 2014-0057-DWQ (2014 General Permit). The General Permit requires Security Paving Company, Inc., to collect and analyze stormwater samples from at least four Qualifying Storm Events (QSE)¹ between July 1 and June 30 of each year.

According to the data available on the Storm Water Multiple Application and Report Tracking System (SMARTS) database, Security Paving Company, Inc., has not collected any stormwater samples from the Facility since August 14, 2015; however, other enrollees within a 1 mile radius of the Facility have collected stormwater samples from their facilities during the same period.

Based on information obtained from the National Oceanic and Atmospheric Administration² (NOAA), using data from the Burbank Valley Pump Plant rain gauge located approximately 3.7 miles South East of the Facility, the Facility has experienced an annual rainfall of 17.75 inches of rain during the FY 2016-2017 reporting period and 10.28 inches of rain during the FY 2015-2016 reporting period. Based on information obtained from NOAA, the Facility has experienced significant storm events since October August 14, 2015. Therefore, stormwater samples should have been collected during that period.

¹ Section XI.B.1 of General Permit Order No. 2014-0057-DWQ states that a Qualifying Storm Event is a precipitation event that produces a discharge for at least one drainage area and is preceded by 48 hours with no discharge from any drainage area

² Data is available at <http://www.ncdc.noaa.gov/IPS/cd/html>

Chris Ramer
Michael Mattivi
Security Paving Company, Inc.

- 2 -

March 5, 2018

Failure to collect and analyze stormwater samples is a violation of Section XI.B.2 of the 2014 General Permit.

Security Paving Company, Inc., is required to take the following action:

1. Submit a detailed report explaining the cause of this violation. Describe the actions you will take to ensure sampling of all future QSEs, analysis of the samples, and submittal of analysis results in accordance with Section XI.B.2 of the 2014 General Permit.

If the Facility is engineered and constructed to contain the maximum historic precipitation event (or series of events), you are required to submit a Notice of Non-Applicability (NONA) and a No-Discharge Technical Report to the Regional Board by following the requirements listed in Section XX.C of the 2014 General Permit.


By **April 5, 2018**, Security Paving Company, Inc., is required to submit a response as a pdf via email or disk to:

Enrique Loera
Los Angeles Regional Water Quality Control Board
Enforcement II Unit
320 W. 4th Street, Suite 200
Los Angeles, CA 90013
(213) 620-2111
Enrique.Loera@waterboards.ca.gov

If Security Paving Company, Inc., fails to respond, it may be subject to enforcement actions, including administrative civil liabilities of up to ten thousand dollars (\$10,000) per day of violation pursuant to California Water Code section 13385. These administrative civil liabilities may be assessed by the Regional Board beginning with the date that the violations first occurred. The Regional Board may also refer this matter to the Attorney General's Office for further enforcement. This Notice of Violation shall not be deemed to relieve Security Paving Company, Inc., of liability for any penalties that may have already accrued. The Regional Board reserves its right to take any further enforcement action authorized by law.

If you need assistance or have questions, please contact Enrique Loera at (213) 620-2111, via email at Enrique.Loera@waterboards.ca.gov or Pavlova Vitale at (213) 576-6751, via email at Pavlova.Vitale@waterboards.ca.gov.

Sincerely,


Paula Rasmussen
Assistant Executive Officer

cc: via email

Kailyn Ellison, State Water Resources Control Board, Office of Enforcement
Steven Pedersen, City of Los Angeles, Steven.pedersen@lacity.org

GENERAL CONTRACTOR
LICENSE NO. 116307 A C12
FAX: 818.362.9300

SECURITY PAVING COMPANY, INC.

13170 TELFAIR AVENUE
SYLMAR, CA 91342
TEL. 818.362.9200

Tuesday, April 10, 2018

Enforcement II Unit
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Attn: Mr. Enrique Loera

Subject: Response to Notice of Violation

Reference: Letter dated March 5, 2018; Notice of Violation: Failure to collect and analyze samples of stormwater runoff – Bradley, 8960 Bradley Avenue, Sun Valley, CA 91342, WDID 4191026031

Dear Mr. Loera

As requested Security Paving Company, Incorporated is hereby submitting a detailed report explaining the cause of the alleged violation and corrective actions that can be taken.

Perhaps our interpretation of when to grab samples is not consistent with the intent of the permit. We apologize for any misinterpretation. An explanation of how we came to our understanding of the permit follows:

First off we'd like to reference the Los Angeles Regional Water Quality Control Board's, ("Board") letter and various sections of the General Permit Order No. 2014-0057-DWQ ("Permit"). The referenced Section XI.B.1 of the Permit reads as follows;

"Section XI Monitoring B Sampling and Analysis

1 . A Qualifying Storm Event (QSE) is a precipitation event that:

- a. Produces a discharge for at least one drainage area; and,*
- b. Is preceded by 48 hours with no discharge from any drainage area."*

Section XI.B of the permit goes into further detail regarding the collecting of samples
"5. Samples from each discharge location shall be collected within four (4) hours of:

- a. The start of the discharge; or,*
- b. The start of facility operations if the QSE occurs within the previous 12-hour period (e.g., for storms with discharges that begin during the night for facilities with day-time operating hours). Sample collection is required during scheduled facility operating hours and when sampling conditions are safe in accordance with Section XI.C.6.a.ii."*

Section X. Storm Water Pollution Prevention Plan (SWPPP) of the permit is pertinent to our interpretation of the permit as well as our response. Specifically Section X.D.2.d states;
"The Discharger shall document in their SWPPP the facility's scheduled operating hours as defined in Attachment C. Scheduled facility operating hours that would be considered irregular (temporary, intermittent, seasonal, weather dependent, etc.) shall also be documented in the SWPPP."

GENERAL CONTRACTOR
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FAX: 818.362.9300

SECURITY PAVING COMPANY, INC.

13170 TELFAIR AVENUE
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TEL. 818.362.9200

The Industrial General Permit Fact Sheet is also a factor in our interpretation of the permit. Section I.D.10 of the General Permit Fact Sheet states;

"This General Permit requires Dischargers to collect samples during scheduled facility operating hours from each drainage location within four hours of: (1) the start of the discharge from a QSE occurring during scheduled facility operating hours, or (2) The start of scheduled facility operating hours if the QSE occurred in the previous twelve (12) hours."

In addition Section J.1 of the Industrial General Permit Fact Sheet states;

"Dischargers are only required to obtain samples required during scheduled facility operating hours and when sampling conditions are safe in accordance with Section XI.C.6.a.ii of this General Permit. If a storm event occurs during unscheduled facility operating hours (e.g. during the weekend or night) and during the 12 hours preceding the scheduled facility operating hours, the Dischargers is still responsible for obtaining samples at discharge locations that are still producing a discharge at the start of facility operations."

Furthermore Section J.4.d of the Industrial General Permit Fact Sheet states;

"Dischargers are not required to collect samples or conduct visual observations during dangerous weather conditions such as flooding or electrical storms, or outside of scheduled facility operating hours."

The glossary in Attachment C of the Industrial General Permit defines the Scheduled Facility Operating Hours as;

"The time periods when the facility is staffed to conduct any function related to industrial activity, but excluding time periods where only routine maintenance, emergency response, security, and/or janitorial services are performed."

We would like to direct the Boards attention to the facility's SWPPP. This can be viewed in SMARTS. Please refer to Section 2.2 "Operations Schedule", which states;

"The Bradley Avenue Base Facility operates Monday through Friday from 6:00 am to 3:00 pm excluding days of inclement weather and Saturdays 7:00 a.m. to 11:00 a.m. excluding days of inclement weather. Variations in actual operating hours may occur as necessary on days of inclement weather".

In Section 5.6.6 "Sample Analysis" of the sites SWPPP we have listed an Environmental Laboratory Accreditation Program (ELAP) certified laboratory that will analyze our samples from the site. That Laboratory is;

Pacific Coast Analytical Services
15751 Roxford Street, Unit F
Sylmar, CA 91504
(818) 364-7470
Point of Contact: Claudio Cardelli
ELAP Certification Number: 2667

GENERAL CONTRACTOR
LICENSE NO. 116307 A C12
FAX: 818.362.9300

SECURITY PAVING COMPANY, INC.

13170 TELFAIR AVENUE
SYLMAR, CA 91342
TEL. 818.362.9200

As referenced above it seems clear that no samples are required to be taken outside of the facilities scheduled operating hours. Below are bullet points pulled directly from the Industrial Permit;

- Sample collection is required during scheduled facility operating hours
- Scheduled facility operating hours that would be considered irregular (temporary, intermittent, seasonal, weather dependent, etc.) shall also be documented in the SWPPP
- Collect samples during scheduled facility operating hours
- The start of the discharge from a QSE occurring during scheduled facility operating hours
- The start of scheduled facility operating hours if the QSE occurred in the previous twelve (12) hours
- Dischargers are only required to obtain samples required during scheduled facility operating hours
- The Dischargers is still responsible for obtaining samples at discharge locations that are still producing a discharge at the start of facility operations

Security Paving Company feels that we have complied with the requirements of the permit. There have been no discharges during scheduled facility hours. Since this is an outdoor facility the operations stop during days of inclement weather. We understand that sampling is required but due to our scheduled facility hours we have not yet had an instance where the facility is open, still producing a discharge and there is no inclement weather (rainfall) occurring.

If it is the intent of the Industrial Permit to have samples taken outside of scheduled facility operating hours, then it appears the permit needs to be amended to clearly state this.

Security Paving Company's corrective action is as follows. Follow the permit's sampling requirements. Samples collected during scheduled facility hours of operation will be delivered to the ELAP certified laboratory listed in the sites SWPPP.

If you have any questions or comments, please do not hesitate to call me at (818) 362-9200.

Best regards,



Steven (Chris) Ramer
Water Pollution Control Manager